

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Patent Application No.: 10/786,331

Attorney Docket No.: Q80114

AMENDMENTS TO THE DRAWINGS

Please replace Figs. 33 and 34 with the replacement drawing sheets submitted herewith as “Prior Art.” No new matter has been added.

Attachment: Two (2) Replacement Sheets (Figs. 33 and 34)

REMARKS

Claims 15-22, 37-41 and 50-53 are all the claims pending in the application.

Claims 17, 18, 21, 37-41 and 50-53 are withdrawn from consideration.

Claims 15, 16, 19, 20 and 22 are rejected.

Claim 22 is objected to.

The Specification is objected to.

The drawings filed on February 26, 2004 are objected to.

Claims 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Takashi et al. (JP 08-187868).

Claims 15 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Morikoshi et al. (U.S. Patent No. 5,684,520).

Claims 19, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takashi et al. in view of Otsuka et al. (U.S. Patent No. 6,305,792).

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morikoshi et al. in view of Otsuka et al. (U.S. Patent No. 6,305,792).

The Applicants traverse the rejections and request reconsideration.

Objections to the Specification and Claims

The Applicants submit replacement drawings for Figs. 33 and 34, duly marked "prior art." The "Title" and the "Brief Description of the Drawings" sections have been amended to overcome the noted objections.

Claim objections

Claim 22 has been amended to overcome the noted objections.

Claim rejections under 35 U.S.C. § 102

Rejection of claims 15 and 16 under 35 U.S.C. 102(b) based on Takashi et al.; rejection of claims 15 and 22 under 35 U.S.C. 102(b) based on Morikoshi et al.

As recited in independent claim 15, the present invention comprises the first and second etching steps for etching both surfaces of the plate-shaped member to form the partition wall and the land on the surfaces of the plate-shaped member, respectively.

The above feature improves the accuracy of the positional relationship between the partition wall (i.e., the pressure chamber) and the land in comparison to the conventional manufacturing method in which a plate-shaped member having partition walls is bonded to the front surface of a flexible sheet with an adhesive. Moreover, the adhesive does not protrude into the pressure chamber and the ink inlet passage. Therefore, the difference in ink jetting characteristics between the nozzle holes can be reduced.

Neither Takashi nor Morikoshi, disclose the above-mentioned characteristic features of the present invention

The patent office contends in Item 8 on page 4 of the Office Action that Takashi et al. teaches a process comprising first and second etching steps for etching both surfaces of a plate-shaped member as shown in Fig. 2 thereof. However, Takashi et al. **does not disclose an etched partition wall**. In the ink jet recording head disclosed by Takashi et al. only the island part 9, that is disposed on one side of the polymer film 8, is an etched structure. Takashi fails to disclose that the spacer 3 (i.e., alleged partition wall), which is disposed on the other side of the

polymer film 8, is an etched structure. The Applicants respectfully submit that the spacer 3 is not an etched structure because the pressure chamber 4 is tapered, while the vertical line of the section of the reservoir 6 is not tapered, as shown in Fig. 2 of Takashi et al. It is believed to be technically impossible to form both tapered vertical line and non-tapered vertical line using the same etching process.

Morikoshi is completely silent about the characteristic features of the present invention mentioned above.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Takashi and Morikoshi do not anticipate (or suggest) the present invention at least because of the significant structural differences noted above.

Claims 16 and 22 are dependent on claim 15 and are allowable for the same reasons.

Claim rejections under 35 U.S.C. § 103

Rejection of claims 19, 20 and 22 under 35 U.S.C. 103(a) based on Takashi et al. in view of Otsuka et al.

Claims 19, 20 and 22 are dependent on claim 15 and are allowable for the same reasons. Moreover, Otsuka does not overcome the deficiencies noted above in the teachings of Takashi.

Rejection of claims 19 and 20 under 35 U.S.C. 103(a) based on Morikoshi et al. in view of Otsuka et al.

Claims 19 and 20 are dependent on claim 15 and are allowable for the same reasons. Moreover, Otsuka does not overcome the deficiencies noted above in the teachings of Morikoshi.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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